

February 14, 1975

CIFERK: Mr. President, LB 140 was pending from yesterday. It's a bill for an act relating to serious traffic offenses to provide immunity to hospitals in withdrawing of blood. The Cavanaugh amendment was adopted striking lines 3 through 7 of the bill and the bill failed to advance on February 13th.

PRESIDENT: The question is what shall we do with LB 140. Senator Burbach.

SENATOR BURBACH: We have made a tremendous change in LB 140. Yesterday, under the prerogative of the Speaker I suggested a bill be sent back to committee. I renew this request on LB 140.

PRESIDENT: Well under our Rules the Speaker can order a bill back to committee if, in his feeling, there is substantial change. Senator Cavanaugh.

SENATOR CAVANAUGH: I challenge the request of the Speaker. Can I speak on this?

PRESIDENT: The order of the Speaker has been challenged. There is an appeal on it. This is. This is subject to debate.

SENATOR CAVANAUGH: This is the immunity bill for the hospitals and medical personnel regarding extractions or the blood test and immunity from liability for negligence. The bill had, I think, a full and complete public hearing. The amendment that was placed on it yesterday to strike the exemptions from liability is the exact question that the committee was confronted with when they first heard the bill. Everybody who testified addressed themselves to that issue. If you sent it back it would be the same issue. They'd still be addressing themselves to it. The same amendments that were proposed on the floor were proposed in committee. They weren't adopted. The committee considered every aspect of this bill that was considered on the floor. No one has been deceived or misled about what the import or implications of this bill are. No one has been deprived of an opportunity to testify on the import or implications of this bill. It's had a full and complete public hearing. I think that we're becoming extremely redundant. I think that any minor change to a bill would be subject to the Speaker sending it back. If that's the track that we're going to take here. This bill and certainly the issues involved in it have had a full public hearing. Now you all understand the issue. I think we're all prepared to vote to advance or kill the bill, or whatever you want to do with the bill. I would urge that you . . . what is it . . . support the challenge to the . . . what is this motion? Appeal from the request of the Speaker I guess.

PRESIDENT: Yes. Senator Warner.